

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 12<sup>TH</sup> DAY OF JANUARY, 2009 AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Annette S. Perkins	-Chair
	Doug Marrs	-Vice Chair
	Mary W. Biggs	-Supervisors
	William H. Brown	
	Gary D. Creed	
	John A. Muffo	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Steve Sandy	-Planning Director
	Ruth L. Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

### **CALL TO ORDER**

The Vice-Chair called the meeting to order.

### **INTO CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711      (1)      Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
1. Office on Youth Advisory Board
  2. Personnel

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
James D. Politis	
Mary W. Biggs	
William H. Brown	
Gary D. Creed	
Doug Marrs	
Annette S. Perkins	

**OUT OF CLOSED MEETING - 7:30 p.m.**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Gary D. Creed	
John A. Muffo	
Annette S. Perkins	

**CERTIFICATION OF CLOSED MEETING**

On a motion by James D. Politis, seconded by William H. Brown and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Mary W. Biggs  
Doug Marrs  
William H. Brown  
Gary D. Creed  
John A. Muffo  
James D. Politis  
Annette S. Perkins

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

**INVOCATION**

A Moment of Silence was lead by the Chair.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

## **ELECTION OF CHAIR**

### **R-FY-09-76 ELECTION OF CHAIR CALENDAR YEAR 2009**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, That **Annette S. Perkins**, be and hereby is, elected as Chair of the Montgomery County Board of Supervisors for the calendar year 2009 or until a successor is elected.

The vote on the forgoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Doug Marrs	
William H. Brown	
Gary D. Creed	
John A. Muffo	
Mary W. Biggs	
Annette S. Perkins	

## **ELECTION OF VICE CHAIR**

### **R-FY-09-77 ELECTION OF VICE CHAIR CALENDAR YEAR 2009**

On a motion by Doug Marrs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, That **James D. Politis**, be and hereby is, elected as Vice Chair of the Montgomery County Board of Supervisors for calendar year 2009 or until a successor is elected.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
William H. Brown	
Gary D. Creed	
John A. Muffo	
Mary W. Biggs	
James D. Politis	
Annette S. Perkins	

## **ORGANIZATIONAL MATTERS**

### **R-FY-09-78 SELECTION OF REGULAR MEETING DATE FOR CALENDAR YEAR 2009**

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the regular meetings of the Board of Supervisors for calendar year 2009 shall be the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month. The closed session portion of the meeting shall begin at 6:00 p.m., if closed session is required, or at a time prior to or after 6:00 p.m. as notified by the County Administrator, otherwise the meeting shall begin at 7:15 p.m. in the Board Room of the Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia provided that when the regular meeting day of any month falls upon a legal holiday, such regular meeting in such month shall be held on the following business day; and provided further, that the Board of Supervisors may, by resolution at any meeting, provided that the next following regular meeting shall be a different time or place, and it shall then be the duty of the County Administrator to give timely notice thereof to all members of the Board and to inform the news media.

BE IT FURTHER RESOLVED, That should the Chairman declare that the weather or other conditions are such that it is hazardous for members to attend the regular meeting, the regular meeting shall be continued to the following Monday. The continuance of the regular meeting shall be communicated to the members and the press as promptly as possible.

The vote on the foregoing resolution is as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
Gary D. Creed	
John A. Muffo	
Mary W. Biggs	
James D. Politis	
Doug Marrs	
Annette S. Perkins	

**R-FY-09-79**  
**RULES OF ORDER AND**  
**PARLIAMENTARY PROCEDURES**  
**FOR CALENDAR YEAR 2009**

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Rules of Order and Parliamentary Procedures for calendar year 2009 as follows:

**RULES OF ORDER**

- Rule 1**      The current edition of *Roberts Rules of Order* shall govern in the deliberations of the Board of Supervisors, except as otherwise provided by ordinance or these rules.
- Rule 2**      The Board may *temporarily suspend* any of its rules by a vote of two-thirds of the members present.
- Rule 3**      No ordinance or resolution *appropriating money exceeding the sum of \$500*, imposing taxes, or authorizing the borrowing of money shall be passed except by a recorded affirmative vote of a majority of all members elected to the Board.
- Rule 4**      A subject(s) may be *added to the Agenda* following the Delegation portion of the meeting.
- Rule 5**      *Discussion of Agenda items* will occur only after a motion is made.
- Rule 6**      In any case in which there shall be a *tie vote* of the Board upon any question when all of the members are not present, that question shall be passed by until the next meeting when it shall again be voted upon even though all members are not present. In any case in which there shall be a tie vote upon any question after complying with this procedure, that tie vote shall defeat the motion, resolution or issue voted upon.
- Rule 7**      When any motion, resolution, or ordinance has been *once acted upon* by the Board it cannot be considered again at the same meeting except by a motion to reconsider. The motion to reconsider cannot be repeated on the same question unless the question was amended when previously reconsidered.
- Rule 8**      A motion to *reconsider* a question which has been decided shall be made by a member who voted with the prevailing side and shall be made at the same meeting of the Board or the next succeeding meeting of the Board. All motions to reconsider shall be decided by a majority vote of the members present.
- Rule 9**      When the Board wishes to *annul some action it has previously taken*, a motion to rescind the objectionable resolution, order or other proceeding may be made. Any action of the Board may be rescinded regardless of the time that has elapsed. A motion to rescind is not in order if action has already been taken which cannot be undone.

- Rule 10** The County Administrator is hereby authorized to prepare for each meeting a ***consent agenda*** for consideration by the Board. This consent agenda may include any item believed by the County Administrator to be routine and not controversial in nature, for example, resolutions authorizing interdepartmental budget transfers, appropriations, various permits authorized by the Board, referrals to other boards and commissions for appropriate action.
- Rule 11** Any member of the Board may request to have any item ***removed from the consent agenda***. Such request need not be seconded. Such item shall then be considered immediately after the consent agenda.
- Rule 12** A single motion and roll call vote in favor thereof shall approve all items remaining on the ***consent agenda***.
- Rule 13** The County Administrator is hereby authorized to ***provide agendas*** for future Board meetings to those individuals, businesses, or organizations who desire to receive same.
- Rule 14** An individual, business or organization shall request the County Administrator on a calendar year basis to ***mail such agendas*** to them. At the end of each calendar year, the County Administrator shall notify all individuals, businesses, or organizations on the agenda list that agendas will no longer be mailed to them unless notification is received by the County Administrator that they desire to continue to receive agendas for the upcoming calendar year.
- Rule 15** The County Administrator shall **mail agendas at the public expense** until such time as the annual expense for such mailings exceeds \$500. Thereafter, the County Administrator shall bring such practice to the attention of the Board for its consideration.
- Rule 16** Individual speakers will be limited to 5 minutes to address the Board during the public address and the public hearing portions of the meeting. ***Applicants and/or agents of land use issues will be limited to 15 minutes to address the Board during the public hearing portion of the meeting.***
- Rule 17** Staff and **Delegation** presentations will not exceed 20 minutes unless prior approval is obtained from the Administrator.
- Rule 18** **Non-Agenda items** may be included for discussion and action during Board Members' Reports segment of the meeting.
- Rule 19** Motions for **tabling** an item shall include conditions for removal from the table.
- Rule 20** Board meetings will **adjourn** no later than 11:30 p.m., unless a vote is taken to continue the meeting, with an affirmative vote of two-thirds (2/3) of those members present.
- Rule 21** Appointments of individual members of the Board of Supervisors for yearly **appointments** to various Boards, Commissions, Committees, etc., shall be made at the beginning of the year, at the same meeting at which elections of the Chair and Vice Chair occur (the first meeting of each calendar year), unless the appointment to a Board, Commission, or Committee need to be made by the Board prior to January 1 of the effective year in which case the appointment will be made prior to the end of the year to be effective January 1, of the following year.

**Rule 22**      On final vote on any ordinance or resolution, the name of each member voting and how he/she voted shall be recorded.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
John A. Muffo	
Mary W. Biggs	
James D. Politis	
Doug Marrs	
William H. Brown	
Annette S. Perkins	

**R-FY-09-80  
CODE OF ETHICS AND  
STANDARDS OF CONDUCT  
FOR CALENDAR YEAR 2009**

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Code of Ethics and Standards of Conduct for calendar year 2009 as follows:

**CODE OF ETHICS**

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Montgomery County Board of Supervisors should adhere to the following Code of Ethics:

1. Uphold the Constitution, laws and regulations of the United States, the Commonwealth of Virginia and Montgomery County, and never knowingly be a party to their evasion.
2. Be loyal to moral principles and the interests of the citizens of the county.
3. Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.
4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.



5. Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, gender, age, religion, creed or country of origin. Avoid adopting policies, supporting programs or engaging in Board activities that discriminate against or offend individuals because of race, gender, age, religion, creed or country of origin.
6. Ensure the integrity of the actions of the Board of Supervisors by avoiding discrimination through the dispersing of, or requesting, special favors or unfair privileges to anyone, whether for remuneration or not. A member should never request or accept for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties, or employees.
7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word which can be binding on public duty.
8. Engage in no business with the county government, either directly or indirectly, which is inconsistent with the conscientious performance of government duties except as may be consistent with the State and Local Government Conflict of Interest Act.
9. Never use any information gained confidentially in the performance of governmental duties as a means of making private profit.
10. Expose through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act using closed sessions to deal with sensitive personnel, legal, contractual or other issues as provided by the Code of Virginia.
12. Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues or citizens, impugning their integrity or vilifying their personal beliefs.
13. Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Board of Supervisors.
14. Review orally and in public session at the annual organizational meeting each of these principles.
15. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.

16. The Board recognizes that its primary role is to make policy and therefore will focus on issues pertaining to programs, operations and issues.
17. The Board recognizes that discussion of personnel matters are to remain confidential, must be discussed through appropriate channel processes, and that it is the obligation of each Board member to protect the privacy of the individual.
18. Board members will follow the procedure of communicating directly with the County Administrator and the Chairman of the Board. On personnel matters or matters relating to incidents, issues, or problems, the Board will follow the procedure of communicating directly with the Chairman or the County Administrator. Especially in situations where Board members might conceivably be construed as attempting to supervise, direct, or interfere with county personnel and the performance of their duties.

### **STANDARDS OF CONDUCT**

Recognizing that persons holding a position of public trust are under constant observation by the media and interested county residents, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, every member of the Montgomery County Board of Supervisors should adhere to the following Standards of Conduct:

1. Avoid, during public meetings and during the performance of public duties, the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens, or personnel.
2. Pay all taxes due to the county, state, or national government.
3. Attend all regularly scheduled meetings of the boards or committees to which he or she has been assigned, resigning whenever personal circumstances preclude regular attendance.
4. Avoid a private lifestyle that casts public doubt upon the integrity and competence of the county government.
5. Make a conscientious effort to be well prepared for each meeting.
6. Offer criticism of county employees only in private meetings with appropriate individuals or in closed session.
7. Work to create a positive environment in public meetings where citizens will feel comfortable in their roles as observers or participants.
8. Maintain an attitude of courtesy and consideration toward all colleagues.

9. Be tolerant. Allow citizens, employees, or colleagues sufficient opportunity to present their views.
10. Be respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, personnel or colleagues.
11. Be concise. Avoid the practice of taking more time to address an issue before the body than is necessary and essential for an adequate consideration of those matters being discussed.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Mary W. Biggs	
James D. Politis	
Doug Marrs	
William H. Brown	
Gary D. Creed	
Annette S. Perkins	

## **PUBLIC HEARINGS**

### Fiscal Year 2009-2010 County Budget

**The purpose of this public hearing is to gather citizen comments on the upcoming 2009-2010 fiscal year budget.**

The Chair commented that this public hearing is to hear citizen comments on the County's preparation of the FY 2009-2010 budget.

Dick Workman expressed concerns with the current economy and suggested several ways to address budget cuts. He questioned why the County had several unused properties, including the Old Blacksburg Middle School property, that could be sold. Mr. Workman also questioned what the Board was doing to address savings to the County. He requested the Board provide comments to his questions.

Sheriff Tommy Whitt provided information to the Board of Supervisors on how the state budget cuts would affect his department. The majority of the cuts would affect personnel, which will cut 5 full-time positions. The second round of budget cuts from the state will eliminate 9.12 positions. Sheriff Whitt informed the Board he will be asking the County to provide full funding for all these positions in order to serve and protect the citizens of the County.

Erica Williams, Clerk of Circuit Court, thanked the Board for their continued support for the Clerk of Circuit Court's office. Ms. Williams expressed concerns with the additional state cuts in her office and how three positions will be eliminated. The Clerk's office is already 2.5 positions fewer than what the state recommends. Ms. Williams stated she is already implementing cost savings efforts in the office and is also applying for grants to help offset some expenses.

There being no further speakers, the public hearing was closed.

#### Gypsy Moth Suppression Program

**The Current Gypsy Moth situation in Montgomery County; the proposal submitted to the Virginia Department of Agriculture and Consumer Services (VDACS) for 2009 suppression actions; and to identify public concerns.**

Charles Putnam, Gypsy Moth Coordinator, and Barry Robinson, Agriculture Extension Agent, provided information for the 2009 Gypsy Moth Suppression Program in Montgomery County. A brief history on gypsy moth was presented and how the 2008 suppression program helped control gypsy moths in the County. Pictures were provided on areas that were sprayed in 2008 versus areas in the same vicinity that were not sprayed showing the difference in tree foliage. The sprayed areas showed more foliage, which showed that the spraying helped in those blocks sprayed.

Montgomery County has submitted a suppression proposal containing four blocks for aerial spraying in the 2009 Virginia Cooperative Gypsy Moth Suppression Program (VCGMSP). The four blocks total 261 acres. Two of the blocks are on Brush Mountain near Norris Run, and two are atop Poor Mountain near the Roanoke County line.

The Board of Supervisors will need to decide on what type of biological insecticide to use on each block. Mr. Putnam suggested that *Bacillus thuringiensis kurstaki* (Btk) be used for each block; and to offer adjacent property owners the option of a 150' buffer from the spraying. Also at its January 26 meeting the BoS will need to consider for approval the Cooperative Agreement that obligates the County to pay the cost of spraying those four blocks under the 2009 VCGMSP, if no funding is received. It looks as if the County will receive some funding from the state for this upcoming season for their share in the program. It is estimated that the total cost of the spraying is \$9,800.

Supervisor Muffo commented that a portion of Brush Mountain will be designated wilderness and asked how this would affect the spraying of this area. Mr. Putnam replied that the Forestry Department has declined to spray wilderness areas in the past.

The County Administrator explained that staff is seeking approval tonight on what type of insecticide to use and the amount of buffer zone being offered from spraying. The Virginia Department of Agriculture and Consumer Services (VDACS) requires participating counties to decide by January 15, 2009 which insecticide and what buffer zone will be used for the

treatment blocks. At the Board's January 26, 2009 meeting, a resolution will be listed for the Board's consideration which will commit the Board. By signing the Cooperative Agreement the County will be obligated to reimburse VDACS for all or a portion of the actual treatment costs.

There being no speakers, the public hearing was closed.

### **PUBLIC ADDRESS**

Michael Miller expressed concerns related to the boundary line adjustment with the Town of Christiansburg on the Harkrader Property. Mr. Miller is concerned that once the property becomes within the town limits, all the conditions that were approved by the Board of Supervisors on the rezoning will not be enforced by the Town of Christiansburg. There are 600 units planned with no ingress/egress to a major road with all entrances/exits are onto residential roads. The entrance promised on Mudpike Road is not constructed yet and all traffic and construction vehicles are using Harkrader Road. He urged the Board of Supervisors to find some way that the proffers could be transferred with the boundary line adjustment in order to protect the existing neighborhood.

Paul Smeal addressed the Board in support of the Montgomery County Parks and Recreation Department. Mr. Smeal commended all Parks and Recreation staff on all their hard work to enhance the quality of life for all citizens in Montgomery County. Montgomery County offers a variety of programs and services from the young to the old. He would like to see facilities such as the Meadowbrook Community Center and Motor Mile Sports Complex be constructed county-wide. Mr. Smeal thanked the Board for their support and asked for their continued support.

There being no further speakers, the public address session was closed.

### **INTO WORK SESSION**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Animal Shelter & Spay/Neuter Clinic

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
James D. Politis	
Doug Marrs	
William H. Brown	
Gary D. Creed	
John A. Muffo	
Annette S. Perkins	

### **Animal Shelter and Spay/Neuter Clinic**

Carol Edmonds, Assistant County Administrator, made a presentation on the County's efforts to build a new animal shelter. There has been tremendous cooperation and effort from citizens, groups and volunteers to get this project together. Montgomery County sought proposals for the needs assessment and preliminary design for a new shelter. Shelter Planners of America was selected, who has experience with similar projects. Shelter Planners focuses on designing facilities that are attractive but reasonably priced.

The first step is to prepare a needs assessment to evaluate operational needs, holding capacity, building size, and make recommendations on appropriate HVAC and special air handling equipment for the animal shelter. Meetings will be held with community partners and interested parties reviewing the process and obtaining input on their desires for the facility will be held. The needs assessment will also identify construction cost and operational cost for the new shelter. The preliminary design stage will provide a schematic of the facility with layout and room locations.

The new shelter would be located near the current animal shelter.

Ms. Edmonds introduced Karen Waldron, Waldron Charitable Foundation, who has volunteered to share in the cost of the needs assessment/preliminary design phase of the Animal Shelter Project.

Ms. Waldron addressed the need for a new animal shelter in Montgomery County. There are numerous feral and abandoned animals in Montgomery County. The Waldron Charitable Foundation has pledged to provide a cost share in the planning stage for a new shelter. Ms. Waldron also discussed the need for a Spay/Neuter Clinic in this area. A Spay/Neuter Clinic would provide low cost, high quality spay and neuter services. The clinic will be based on a Spay/Neuter Clinic in Ashville, NC. This facility provided 30,000 spay/neuter procedures last year. There are three other facilities located in Bristol, Harrisonburg, and Lynchburg. Ms. Waldron stated it is hopeful that a stand-alone Spay/Neuter Clinic can be constructed along with a new shelter.

Ms. Edmonds introduced Jason Shelton, President of Friends for Animal Control and Care (FACC). Ms. Edmonds stated that FACC has been a tremendous help with the existing shelter, volunteering their time to tend and care for the animals.

Mr. Shelton provided statistical data on the Animal Shelter activities as follows:

Years 2004-2007

- Adoption/Reclaims increased from 41% to 54%
- Transfers increased from 3% to 11%
- Strays decreased from 79% to 47%
- Owners surrenders increased from 10% to 44%
- Euthanasia decreased from 54% to 17%

Information was also provided on Montgomery County vs. State of Virginia with the 2007 statistics:

	<u>Montgomery County</u>	<u>State of Virginia</u>
• Surrendered	44%	34%
• Strays	46%	44%
• Adopted/Reclaimed	64%	40%
• Euthanized	17%	40%
• Transferred	11%	16%

Mr. Shelton reported that FACC is proud that they have helped reduce the number of dogs euthanized in the County. More dogs are being adopted with the help of their program.

He also reported that the spay/neuter program is on-going. They are working with the Angels of Assisi, whose shuttle comes to the Animal Shelter one time per month. They average 22 dogs spayed/neutered per month with a total of 308 dogs since November 2007. Occasionally room is made for cats with a total of 36 spayed/neutered.

Mr. Shelton thanked the Board for all their support and urged them to support a new shelter. He asked those residents who attended the meeting in support of a new shelter to stand. Approximately 50 people stood in support.

Ron Brown, President of Humane Society, expressed his appreciation for being invited to participate in the planning process for a new animal shelter. He stated a new shelter will help address the cat problem in the County. Hopefully the cat problem will be more manageable with the construction of a new facility that will also house cats.

The Board of Supervisors expressed appreciation to all the groups involved in making a new Animal Shelter more of a reality. They commended all the volunteers who take their time to help directly or indirectly at the Animal Shelter and to the groups who provide housing and food to animals who need a home. They believe the County is moving in the right direction on what is needed for a new animal shelter.

## **OUT OF WORK SESSION**

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Doug Marrs	
William H. Brown	
Gary D. Creed	
John A. Muffo	
Mary W. Biggs	
Annette S. Perkins	

## **RECESS**

The Board of Supervisors took a ten minute recess and reconvened at 9:20 p.m.

## **DELEGATION**

### **Virginia Department of Transportation**

David Clarke, VDOT Residency Administrator, updated the Board of Supervisors on road issues/concerns in Montgomery County. He reported that several public meetings will be held across the State to receive comments on VDOT's Six-Year Improvement Plan for Primary and Interstate Roads. These meetings are supplemental hearings due to the reduction in funding. Projects that has construction money already allocated are to remain in the plan; however, projects that just has design/engineering funding allocated more than likely will be removed due to the shortfall in revenue.

Mr. Clarke reported that the Commonwealth Transportation Board awarded the Town of Christiansburg funding for the widening of a portion of Peppers Ferry Road (SR 114). The notice to proceed will be issued soon and grading work will begin.

Mr. Clarke also reported that the Revenue Sharing Program kept its funding intact for FY 09. Montgomery County submitted an application in the amount of \$500,000 for five projects, which was approved. VDOT will move forward with the projects soon.



Mr. Clarke stated that VDOT's blueprint to address state budget cuts is on-going. As previously reported there was a proposal to cut some of VDOT's residency offices, maintenance offices, and reduce staff. At this time, he does not know how Montgomery County will be affected. There are six residency offices in the Salem District, including the one located in Montgomery County. He does not know which ones will be closed.

Supervisor Brown commented that federal stimulus funds includes money for infrastructure and all projects are to be ready to start. Does VDOT have projects that can be included in case the federal money is handed down? Mr. Clarke replied they are working on a state-wide list.

Supervisor Creed stated he noticed that Cove Hollow Rd (SR 603) was included on VDOT's Six-Year Improvement List and questioned what the project is and who included it on the list. Mr. Clarke replied he was not familiar with this project but according to the report this is for the relocation/construction of Cove Hollow Road to be funded with federal money and state matching money. He assumes this project has to do with the proposed intermodal facility in Elliston. He has no other detail regarding the project other than the Commonwealth Transportation Board controls the funding for projects on the State's Six-Year Road Improvement list. Mr. Clarke reported he will investigate this project further and let the Board know his findings.

### **CONSENT AGENDA**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously, the Consent Agenda dated January 12, 2009 was approved.

The vote on the foregoing motion is as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
Gary D. Creed	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
James D. Politis	
Annette S. Perkins	

### **Approval of Minutes**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously, the Minutes dated October 27, 2008 were approved.

**A-FY-09-55**  
**RADIO CACHE GRANT**  
**EMERGENCY SERVICES COORDINATOR**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009, for the function and in the amount as follows:

111	EMS Grants	\$850,000
-----	------------	-----------

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
434410	Federal Grants	\$850,000

Said resolution appropriates grant funds received for the purchase of a radio cache trailer.

**A-FY-09-56**  
**RSVP**  
**APPROPRIATION OF**  
**FUNDRAISING AND DONATIONS**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009, for the function and in the amount as follows:

520	Human Services	\$3,827
-----	----------------	---------

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
25202-419108	Recovered Costs	\$ 3,827

Said resolution appropriates donations and fundraising monies for use by RSVP.

**A-FY-09-57**  
**SHERIFF**  
**RECOVERED COSTS**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009, for the function and in the amount as follows:

320	Sheriff – County	\$15,249
-----	------------------	----------

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$15,249

Said resolution appropriates recovered costs from security and asset forfeiture funds for use by the Sheriff's department.

**A-FY-09-58**  
**COURT SERVICES**  
**TRANSFER FROM GENERAL CONTINGENCES**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer is hereby authorized, as follows:

<u>FROM:</u>		
950	General Contingencies	(\$1,000)

<u>TO:</u>		
230	Court Services	\$1,000

Said resolution transfers funds from General Contingencies to Court Services to cover the cost of outsourcing a juvenile to another jurisdiction.

**R-FY-09-81**  
**WORKFORCE INVESTMENT BOARD (WIB)**  
**BUSINESS REPRESENTATIVE**  
**APPOINTMENT**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby recommends that **Patrick Ruocco** be appointed to the New River/Mount Rogers Workforce Investment Board as the business (private sector) representative for Montgomery County effective January 13, 2009 and expiring January 12, 2012.

**OLD BUSINESS**

**R-FY-09-82**  
**SPECIAL USE PERMIT**  
**ROLAND S. WRIGHT, JR. AND MARY H. WRIGHT**  
**FOR THE PURPOSE OF ALLOWING A MANUFACTURED HOME,**  
**CLASS A (DOUBLEWIDE) IN A RESIDENTIAL (R-3) ZONING DISTRICT**  
**IN THE RINER MAGISTERIAL DISTRICT (DISTRICT D)**  
**PARCEL ID 140688; TAX MAP NUMBER 127-8-7B**

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia a request by Roland S. Wright, Jr. and Mary H. Wright for a Special Use Permit (SUP) on approximately 0.511 acres in a Residential (R-3) zoning district to allow a Manufactured Home, Class A (doublewide) is found to be consistent with the County's Comprehensive Plan and is hereby approved with the following conditions:

1. No Class B (singlewide) structures shall be permitted.
2. Installation of a covered front porch finished to match the structure with vinyl railings is required. The covered front porch shall be at least 6'x6' and installed prior to the final inspection by Montgomery County Building Inspections.
3. Split-face block or other masonry product shall be used for foundation on all sides of the structure. If block piers are used they shall not be visible. Skirting will not be permitted.

4. Guttering and downspouts shall be installed prior to final inspection by Montgomery County Building Inspections.
5. If a fireplace is installed, the chimney shall be boxed in to match the structure.
6. The roof of the structure shall meet a roof pitch ratio of 4:12.

The property is located at 3850 Poppy Lane, and is identified as Tax Parcel No(s) 127-8-7B, Parcel ID 140688, in the Riner Magisterial District (District D). This property currently lies in an area designated as Rural in the Comprehensive Plan.

The vote on the foregoing resolution is as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
Gary D. Creed	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
James D. Politis	
Annette S. Perkins	

**R-FY-09-83  
SPECIAL USE PERMIT  
RIVERBEND WATER COMPANY  
FOR THE PURPOSE OF ALLOWING A HOME BUSINESS  
IN AN AGRICULTURAL (A-1) ZONING DISTRICT  
IN THE RINER MAGISTERIAL DISTRICT (DISTRICT D)  
PARCEL ID 080602; TAX MAP NUMBER 120-A-37H**

On a motion by James D. Politis, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the request by River Bend Water Company for a Special Use Permit (SUP) on approximately 4.006 acres in an Agricultural (A-1) zoning district to allow a home business is consistent with the County's Comprehensive Plan and is hereby approved with the following conditions:

1. The office space within the home shall not exceed 25% of the gross floor area of the dwelling unit, and be in substantial compliance with sheet three (3) of four (4) of plans drawn by Doug Collins, received November 22, 2008.

2. No more than two (2) outside employees shall be permitted to work in the home.
3. No contractor's storage yard may be established as a result of the home business. No outside storage of materials or equipment related to the home business shall be permitted.
4. Sign permit must be obtained from the Zoning Administrator for a non-illuminated sign not exceeding four (4) sq. feet per Sec. 10-41 (4)(d).

The property is located at 895 Union Valley Road, and is identified as Tax Parcel No(s). 120-A-37H (Acct No. 080602), in the Riner Magisterial District (District D). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan.

The vote on the foregoing resolution is as follows:

AYE

Gary D. Creed  
John A. Muffo  
Mary W. Biggs  
Doug Marrs  
William H. Brown  
James D. Politis  
Annette S. Perkins

NAY

None

**R-FY-09-84  
SPECIAL USE PERMIT  
RIVERBEND WATER COMPANY  
FOR THE PURPOSE OF ALLOWING AN  
ACCESSORY STRUCTURE GREATER  
THAN 1,200 SQUARE FEET IN AREA AND 18 FEET IN HEIGHT  
IN AN AGRICULTURAL (A-1) ZONING DISTRICT  
IN THE RINER MAGISTERIAL DISTRICT (DISTRICT D)  
PARCEL ID 080602; TAX MAP NUMBER 120-A-37H**

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia a request by River Bend Water Company for a Special Use Permit (SUP) on approximately 4.006 acres in an Agricultural (A-1) zoning district to allow an accessory structure greater than 1,200 square feet in area and 18 feet in height is consistent with the County's Comprehensive Plan and is hereby approved with the following conditions:

1. The residence shall be built prior to, or concurrently with, the construction of the accessory structure.
2. The accessory structure shall be built in substantial conformance with the plans provided, dated November 22, 2008.
3. The accessory structure shall be connected to a septic system in conformance with Virginia Department of Health regulations and standards.
4. No exterior storage of equipment and/or materials shall be permitted.
5. The owner shall plant a double offset row of Leyland Cypress trees along the north, east, and south sides of the structure, as well as landscaping along the west side of the structure. The trees shall be a minimum of six (6) feet in height at the time of planting on 25' centers. The rows shall be 15' feet apart. Per sketch provided, dated December 2, 2008, and attached.
6. The proposed accessory structure shall not exceed 2,850 sq. feet in total area and the overall height of the structure shall not exceed 34 feet as measured from the ground elevation to the top of the cupola.
7. No commercial work shall be permitted in the building.
8. The structure shall not be used as a principal or accessory dwelling.
9. Garage doors shall be Amarr Garage Doors, model S1-Santiago-Closed arch, or similar. This style of garage door will help the building conform to the agricultural setting and characteristics of the area. Garage doors shall be approved by the Zoning Administrator.

The property is located at 895 Union Valley Road, and is identified as Tax Parcel No(s) 120-A-37H, Parcel ID 080602, in the Riner Magisterial District (District D). This property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan.

The vote on the foregoing resolution is as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Gary D. Creed	
James D. Politis	
Annette S. Perkins	

**R-FY-09-85  
BOARD OF SUPERVISORS  
APPOINTMENTS TO BOARDS  
AND COMMISSIONS  
FOR CALENDAR YEAR 2009**

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the following Supervisors are appointed as representative to the indicated boards and commissions, effective January 1, 2009 and expiring December 31, 2009:

<u>Board/Commission</u>	<u>Supervisor</u>
AFD Advisory Board	<u>James D. Politis</u>
Chamber of Commerce Liaison	<u>Annette S. Perkins</u> (Chair) <u>James D. Politis</u> (Vice-Chair)
County/School Liaison	<u>B. Clayton Goodman, III</u> (County Administrator) <u>Annette S. Perkins</u> (Chair)
Economic Development Alliance (NRV)	<u>B. Clayton Goodman, III</u> (County Administrator) <u>Annette S. Perkins</u> (Chair)
Economic Development Commission (Montgomery Regional)	<u>Annette S. Perkins</u>
Fairview District Home Board	<u>Doug Marrs</u>
Fairview Home, Inc. Board of Directors	<u>B. Clayton Goodman, III</u> (County Administrator)



Legislative Liaison	<u>Mary W. Biggs</u>
Library Board Liaison	<u>Mary W. Biggs</u>
Metropolitan Planning Organization (MPO)	<u>Doug Marrs</u> (Board Member) <u>John A. Muffo</u> (Alternate) <u>B. Clayton Goodman, III</u> (County Administrator)
Montgomery County Improvement Council (MCIC)	<u>John A. Muffo</u>
Parks & Recreation Commission Liaison	<u>William H. Brown</u>
Planning Commission Liaison	<u>John A. Muffo</u> <u>Mary W. Biggs</u> (Alternate)
Resource Conservation & Development District (RC&D)	<u>Vacant</u>
Road Viewers Board	<u>All Board Members</u>
School Board Liaison	<u>Mary W. Biggs</u> <u>Annette S. Perkins</u> (Alternate)
Transportation Safety Commission Tourism Development Council	<u>Gary D. Creed</u> <u>Mitchell Haugh</u> (Parks & Recreation Director)
Workforce Investment Act	<u>William H. Brown</u>
Virginia Tech Liaison	<u>B. Clayton Goodman, III</u> (County Administrator)

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions /authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office shall constitute a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County.

The vote on the foregoing resolution is as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
William H. Brown	
Gary D. Creed	
James D. Politis	
John A. Muffo	
Annette S. Perkins	

**R-FY-09-86**  
**NRV HOME CONSORTIUM**  
**APPOINTMENTS**

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints the Montgomery County Planning Director and reappoints the Blacksburg Town Manager to the Board of the New River Valley HOME Consortium effective January 1, 2009 and expiring December 31, 2009.

BE IT FURTHER RESOLVED, That the Montgomery County Administrator is appointed to serve as alternate to the Montgomery County Planning Director and the Blacksburg Deputy Town Manager is reappointed to serve as alternate for the Blacksburg Town Manager effective January 1, 2009 and expiring December 31, 2009.

The vote on the foregoing resolution is as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
William H. Brown	
Gary D. Creed	
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Annette S. Perkins	

**R-FY-09-87**  
**RESOLUTION REGARDING THE**  
**COMMONWEALTH'S FY 2009-2010**  
**BUDGET SHORTFALL**

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Montgomery County is committed to ensuring fiscal sustainability at the local and state levels of government because fiscal sustainability enables the Commonwealth and its local governments to provide high quality, cost effective, core public services that benefit Virginians today and for generations to come; and

WHEREAS, The current difficult economic and financial times require government, at all levels, to evaluate service delivery responsibilities and to determine the continued importance of programs meeting critical needs; and

WHEREAS, The Commonwealth must resolve an estimated 2009 and 2010 biennial revenue shortfall approaching \$3 billion that may in fact continue to escalate in the near term; and

WHEREAS, Montgomery County must resolve significant local revenue shortfalls for these periods as well; and

WHEREAS, The Commonwealth's General Fund supports most critical core government services including public education, health and human resources, including the Comprehensive Services Act, public safety, natural resources and environmental services by dedicating almost 50 percent of the state's General Fund to local governments (with 74 percent of this funding supporting K-12 public education); and

WHEREAS, If one level of government establishes and ensures a priority, it is then incumbent upon that level of government to adequately fund the services necessary to meet that priority; and

WHEREAS, The current economic environment threatens the sustainability of these critical core public services if the Commonwealth is required to reduce its contribution to the financial partnership between the state and its local governments including Montgomery County; and

WHEREAS, Specific and necessary state budget reductions may impact a wide array of core public services, including but not limited to, public education, the Comprehensive Services Act, and public safety and many local governments, including Montgomery County, will absorb significant state reductions in 2009 and may be compelled to increase real property taxes to help ensure the continuation of vital core public services; and

WHEREAS, Montgomery County stands ready to partner with the Commonwealth to make the difficult budgetary decisions required, including thoroughly evaluating programs and working together to maintain a structural balance between revenues and expenditures that promotes the long-term viability of our Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County respectfully offers the following budget and revenue recommendations for the 2009 legislative session to the Governor and Virginia General Assembly, including Montgomery County's Delegates and Senators:

- Budget and appropriate sufficient withdrawals from the state's Revenue Stabilization Fund ("Rainy Day Fund") to help offset necessary state budget reductions. Global and national financial markets are imbalanced; consequently, Virginia is one of many states facing a significant state revenue shortfall. The Commonwealth is required to replenish the Fund when economic conditions improve, and Montgomery County supports recapitalizing the Fund in better economic times.
- Before budgeting and appropriating necessary state budget reductions, revisit recent state tax exemptions. Since the late 1990s the state has enacted more than \$1.8 billion in net biennial tax reductions and specific General Fund transfers.
- Oppose the enactment of new unfunded and under-funded state mandates that will impose new costs on local governments. Additionally, consider repealing specific, unfunded and under-funded state mandates. In the area of public education, the Governor and Virginia General Assembly should consider providing localities and school districts maximum flexibility to i) suspend specific mandates and ii) manage specific public education reductions.
- Enact a law authorizing equal taxing authority for counties. Counties should be enabled, like cities and towns, to institute specific taxes, including a meals tax without a referendum. The new sources of revenue would be tailored to the needs of a jurisdiction and could help local governments protect adequate funding for the core government services including K-12 public education, and reduce county dependence on property taxes.
- Consider additional possibilities for mitigating the impact of state cuts on local governments. Local governments will have to make significant cuts in services because of flat or decreasing real estate revenues. Permit local governments, at their option, to implement a one-half percent increase in the sales tax as a way to minimize the potential burden passed on to homeowners through increased real property taxes.

BE IT FURTHER RESOLVED, Montgomery County offers these recommendations in the spirit of compromise and partnership to the Governor and Virginia General Assembly, including Montgomery County's Delegates and Senators.

The vote on the foregoing resolution is as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
Gary D. Creed	
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
Annette S. Perkins	

**R-FY-09-88**  
**GYPSY MOTH SUPPRESSION PROGRAM-**  
**PESTICIDE AND BUFFER ZONE SIZE**  
**FOR 2009**

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

WHEREAS, The Gypsy moth has established high populations in small portions of Montgomery County and threatens to greatly increase its range and population in the County; and

WHEREAS, High population levels are known to create substantial damage to forestry and homeowner interests; and

WHEREAS, The Virginia Department of Agriculture and Consumer Services (VDACS) has offered the County an opportunity to participate in its Gypsy Moth Suppression Program; and

WHEREAS, VDACS requires participating counties to decide by January 15, 2009 which pesticide and what buffer zone will be used for the treatment blocks in that county; and

WHEREAS, The decisions on pesticide preference and buffer zone size do not imply Montgomery County is making a commitment to sign, by February 1, 2009, the Cooperative Agreement by which the County would incur an obligation to reimburse VDACS for all or a portion of the actual treatment costs.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the staff recommendations to use Btk on all four proposed treatment blocks on Brush and Poor Mountains; and offer requesting landowners the option of a 150' buffer zone between their property line and the portions of treatment blocks to be sprayed is hereby approved.

The vote on the foregoing resolution is as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Annette S. Perkins	

### **COUNTY ADMINISTRATOR'S REPORT**

Joint Economic Development and Growth Sharing Agreement with the Town of Christiansburg – Woody/Wheatland/Hairston and Arbor View Lands- The Commission on Local Government has reviewed the proposed Growth Sharing Agreement and has issued a report stating there were no reasons why the County and Town should not adopt the Growth Sharing Agreement. A resolution approving the Agreement will be on a future agenda for the Board's consideration.

Budget Work Session – The County Administrator requested a budget work session be scheduled for Tuesday, January 20, 2009 at 6:00 p.m. to discuss preliminary budget funding and the impact of state budget cuts.

### **Special Called Meeting**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously, the Board of Supervisor of Montgomery County, Virginia hereby schedules a special meeting to discuss the FY 2009-2010 Budget and to hold a closed meeting to discuss personnel. The closed meeting portion to begin at 5:00 p.m. and the work session to begin at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Doug Marrs	
Mary W. Biggs	
James D. Politis	
William H. Brown	
Gary D. Creed	
Annette S. Perkins	

## **BOARD MEMBERS' REPORTS**

**Supervisor Biggs** attended the School Board meeting where they discussed the School's FY 09-10 Budget. Wendell Jones was re-elected Chair of the School Board and Penny Franklin was elected Vice-Chair for the calendar year 2009.

Boundary Line Adjustment with the Town of Christiansburg – Harkrader Property: Supervisor Biggs asked what the Board of Supervisors can do to help resolve the issues reported by Michael Miller in the public address session of the meeting tonight. The County Attorney reported he will investigate the concerns and report back to the Board.

**Supervisor Muffo** attended the Community Services Board (CSB) meeting where they discussed their budget also. They will have a flat budget due to the state budget cuts; however, the State has proposed to close mental health hospitals for children across the state. This will be an immediate cost to the CSB, who are required to place children with mental health issues in a facility. The hospitals have already stopped receiving patients even though the plan has not yet been approved by the Governor.

Supervisor Biggs asked that staff provide a report showing the impact to the County on the state budget cuts. This will be helpful in preparing for the upcoming budget and help educate the citizens on what cuts the County is facing from the State. It will be a huge impact to lose 9 or more deputies and 3 positions in the Clerk of Circuit Court office. The closing of mental health hospitals for children will not only affect the County but the families of the children who look to the state for help.

**Supervisor Creed** commended staff on their presentation on the update for a new Animal Shelter.

CSB – State closing of Mental Health Hospitals for Children – Supervisor Creed expressed his concerns with the closing of these hospitals. This action affects the most vulnerable, which are the children. He believes that the State should evaluate this decision and make cuts elsewhere and don't take away from the children who desperately need help.

**Supervisor Marrs** reported the State is proposing to cut \$11.3 million from the Western Virginia Regional Jail Authority for the construction of the jail. Members of the WVRJA will be traveling to Richmond to lobby the General Assembly members for their help in getting this funding replaced.

The County Administrator reported that if this money is not replaced then the members of the WVRJA will have to allocate their share of the cost from their locality. For Montgomery County this amounts to \$140,000 - \$160,000 per year for 20 years.

## **ADJOURNMENT**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously, the Board adjourned to Tuesday, January 20, 2009 at 5:00 p.m for Closed Meeting and 6:00 p.m. for Budget Work Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Gary D. Creed	
Annette S. Perkins	

The meeting adjourned at 10:25 p.m.

APPROVED: _____	ATTEST: _____
Annette S. Perkins Chair, Board of Supervisors	B. Clayton Goodman, III County Administrator